

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

-against-

RIPPLE LABS INC., BRADLEY
GARLINGHOUSE, and CHRISTIAN A.
LARSEN

Defendants.

20 Civ. 10832 (AT) (SN)

DECLARATION OF MATTHEW C. SOLOMON

I, Matthew C. Solomon, hereby declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an attorney admitted to practice before this Court *pro hac vice* and a partner at the law firm Cleary Gottlieb Steen & Hamilton LLP, and I am counsel to Defendant Bradley Garlinghouse in the above captioned action.

2. I respectfully submit this declaration in support of Defendants' response to the SEC's July 16, 2022 Objection (ECF 573) to Judge Netburn's January 13, April 11, and July 12, 2022 Orders (ECF Nos. 413, 465, 531).

3. Attached hereto as Exhibit A is a true and correct copy of Judge Netburn's January 13, 2022 Order (ECF 413).

4. Attached hereto as Exhibit B is a true and correct copy of Judge Netburn's April 11, 2022 Order (ECF 465).

5. Attached hereto as Exhibit C is a true and correct copy of Judge Netburn's July 12, 2022 Order (ECF 531).

6. Attached hereto as Exhibit D is a true and correct copy of Director William Hinman's Remarks at the Yahoo Finance All Markets Summit: Crypto, titled "Digital Asset Transactions: When Howey Met Gary Plastic," dated June 14, 2018. This document is available on the SEC website at <https://www.sec.gov/news/speech/speech-hinman-061418>. Director William Hinman's speech is a government record published on a government website of which the Court may take judicial notice under Federal Rule of Evidence 201.

7. Attached hereto as Exhibit E is a true and correct copy of a transcript from an April 6, 2021 court conference before Judge Netburn.

8. Attached hereto as Exhibit F is a true and correct copy of the SEC's motion to quash the deposition subpoena directed to Director William Hinman, filed on June 24, 2021 (ECF 255).

9. Attached hereto as Exhibit G is a true and correct copy of Director William Hinman's declaration in support of the SEC's motion to quash the deposition subpoena directed to him, dated June 23, 2021 (ECF 255-2).

10. Attached hereto as Exhibit H is a true and correct copy of a transcript from a July 15, 2021 court conference before Judge Netburn.

11. Attached hereto as Exhibit I is a true and correct copy of a transcript from an August 31, 2021 court conference before Judge Netburn.

12. Attached hereto as Exhibit J is a true and correct copy of the SEC's motion for partial reconsideration and clarification, filed on February 17, 2022 (ECF 429).

13. Attached hereto as Exhibit K is a true and correct copy of a transcript from a June 7, 2022 court conference before Judge Netburn.

14. Attached hereto as Exhibit L is a true and correct copy of the SEC's motion to strike Defendant Ripple Labs Inc.'s fourth affirmative defense, filed on April 22, 2021 (ECF 132).

15. Attached hereto as Exhibit M is a true and correct copy of excerpts of the deposition transcript of Director William Hinman, dated July 27, 2021.

16. Attached hereto as Exhibit N is a true and correct copy of Director William Hinman's declaration in support of the SEC's motion to quash the deposition subpoena in *SEC v. LBRY*, No. 21-cv-00260 (D.N.H. Nov. 5, 2021), dated November 4, 2021 (ECF 37-7).

Executed on August 9, 2022 in Washington, DC.

Respectfully submitted,

/s/ Matthew C. Solomon

Matthew C. Solomon